

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 739 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ASHOKKUMAR DAHYABHAI PATEL

Versus

STATE OF GUJARAT

Appearance:

MR YS LAKHANI for Petitioners

Mr. KT Dave, APP for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 06/03/98

ORAL JUDGEMENT

1. Heard learned Advocate Mr. Y.S. Lakhani appearing for the petitioners. Rule. Mr. K.T. Dave, learned APP waives service of Rule. Learned Advocate appearing for the petitioner has not pressed the petition for petitioner No.1 - Ashokkumar Dahyabhai Patel as well as petitioner No.2 Dahyabhai Vithaldas Patel at this stage of the matter and, therefore, without prejudice to

the contention of the petitioners, petition of petitioners No. 1 and 2 stands disposed of as withdrawn.

2. Learned APP Shri K.T. Dave has fairly stated at the Bar that sofar as petitioner No.3 - Lilaben Dahyabhai Patel is concerned, she being an aged woman of 57 years, the prosecution does not press the objections earlier raised to enlarge the petitioner No.3 on bail. Hence, it is ordered that petitioner No.3 Lilaben Dahyabhai Patel be admitted to bail on execution of a bond of Rs.5,000/- (Rupees five thousand only) and also furnishing two sureties for the like amount to the satisfaction of the lower court and subject to the conditions stated hereunder:

(a) not take undue advantage of his liberty or misuse his liberty;

(b) not act in a manner injurious to the interest of the prosecution;

(c) maintain law and order;

3. If breach of any of the above conditions is committed, the Sessions Judge at Mehsana will be free to issue warrant or take appropriate action in the matter.

Bail before the lower Court having jurisdiction to try the case.

Rule is made absolute. Direct service is permitted.

p.n.nair